

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ANDRE MARTINEZ,</b>	:	<b>CIVIL NO. 3:13-CV-1475</b>
	:	
<b>Plaintiff</b>	:	
	:	<b>(Judge Munley)</b>
<b>v.</b>	:	
	:	
<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>Defendant</b>	:	

.....

**ORDER**

**AND NOW**, to wit, this 31<sup>st</sup> day of March 2015, upon consideration of defendant's motion (Doc. 27) to dismiss and for summary judgment, it is hereby **ORDERED** that:

1. The motion (Doc. 27) is **DENIED**.
2. Defendant shall file a responsive pleading within the manner set forth in the Federal Rules.

**BY THE COURT:**

**s/James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**